



ATTORNEY DOCKET NO. DIVER1370-4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jay M. Short et al. Art Unit: Unassigned  
Serial No.: Unassigned Examiner: Unassigned  
Filed: Herewith  
Parent Serial No.: 09/318,528  
Parent Filing Date: May 25, 1999  
Title: RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF

Box Patent Application  
Assistant Commissioner of Patents  
Washington, D.C. 20231

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Date of Deposit **May 25, 2000**  
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

MARK HAIL BAYLEY

**PERMISSION TO USE SEQUENCE LISTING**

Sir:

The above-identified patent application lacks a substitute paper copy of the Sequence Listing for inclusion into the Specification, as well as a computer readable form of the Sequence Listing. Applicants respectfully direct the attention of the Office to the following:

1. A complete paper copy of the Sequence Listing is to be inserted following the Abstract on page 129 and before the Drawings. Please insert the Sequence Listing beginning with page 1 and numbering consecutively thereafter. A paper copy of the Sequence Listing is included herewith, and is identical to the computer readable copy of the Sequence Listing filed in U.S. Patent Application Number 09/318,528 (the "'528 application"), filed May 25, 1999.

In re Application of: Jay M. [redacted] et al.  
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2. A computer-readable form in this application is identical with that filed in '528 application, filed October 15, 1999. Pursuant to 37 CFR §1.821(e), please use the last-filed computer-readable form filed in the '528 application as the computer-readable form for application filed herewith. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the computer readable form that will be used for application filed herewith.

I hereby state, as required by 37 C.F.R. § 1.821(g), that the enclosed submission includes no new matter. Applicants submit that the foregoing satisfies the requirements of Rule §1.821. If there are any questions regarding this response, the Office is invited to contact the undersigned.

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355.

Respectfully submitted,

Date: \_\_\_\_\_

5/25/00

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